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**AMENDMENT UNDER 37 CFR 1.116
EXPEDITED PROCEDURE –
EXAMINING GROUP 1662**

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

PATENT
Attorney Docket No.: 002307-144000US
Client Ref. No.: 2004-323-1

On

21 April 2005

TOWNSEND and TOWNSEND and CREW LLP

By:

Malinda A. Davis

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Douglas V. Shaw and Kirk D.
Larson

Application No.: 10/769,471

Filed: January 29, 2004

For: PLANT PATENT APPLICATION
FOR STRAWBERRY PLANT NAMED
'ALBION'

Customer No.: 20350

Confirmation No. 5301

Examiner: June Hwu

Technology Center/Art Unit: 1662

**AMENDMENT UNDER 37 CFR 1.116
EXPEDITED PROCEDURE EXAMINING
GROUP 1662**

Mail Stop AF

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Final Office Action mailed March 21, 2005, please enter the following amendments and remarks.

Amendments to the Specification begin on page 2 of this paper.

The **Remarks** section begins on page 3 of this paper.



PTO/SB/21 (09-04)

1642

**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

Application Number	10/769,471
Filing Date	January 29, 2004
First Named Inventor	Shaw, Douglas V.
Art Unit	1662
Examiner Name	June Hwu
Attorney Docket Number	002307-144000US

ENCLOSURES (Check all that apply)

- | | | |
|---|---|--|
| <input type="checkbox"/> Fee Transmittal Form
<input type="checkbox"/> Fee Attached
<input checked="" type="checkbox"/> Amendment/Reply--"Amendment Under 1.116" w/attachments 1 and 2
<input checked="" type="checkbox"/> After Final
<input type="checkbox"/> Affidavits/declaration(s)
<input type="checkbox"/> Extension of Time Request
<input type="checkbox"/> Express Abandonment Request
<input type="checkbox"/> Information Disclosure Statement

<input type="checkbox"/> Certified Copy of Priority Document(s)
<input type="checkbox"/> Reply to Missing Parts/ Incomplete Application
<input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s)
<input type="checkbox"/> Licensing-related Papers
<input type="checkbox"/> Petition
<input type="checkbox"/> Petition to Convert to a Provisional Application
<input type="checkbox"/> Power of Attorney, Revocation
Change of Correspondence Address
<input type="checkbox"/> Terminal Disclaimer
<input type="checkbox"/> Request for Refund
<input type="checkbox"/> CD, Number of CD(s) _____
<input type="checkbox"/> Landscape Table on CD | <input type="checkbox"/> After Allowance Communication to TC
<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Status Letter
<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
Return Postcard |
|---|---|--|
- Remarks: The Commissioner is authorized to charge any additional fees to Deposit Account 20-1430.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Townsend and Townsend and Crew LLP		
Signature			
Printed name	Jean M. Lockyer, Ph.D.		
Date	April 21, 2005	Reg. No.	44,879

CERTIFICATE OF TRANSMISSION/MAILING

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Signature			
Typed or printed name	Malinda C. Dagit	Date	21 April 2005